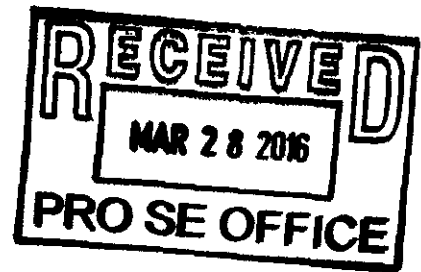


UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK



----- X  
ERIC RICHMOND,

Appellant,

-against-

P.B. #7, LLC,

Appellee.  
----- X

: 15 Civ. 4980 (AMD)

: 15 Civ. 5201 (AMD)

---

ON APPEAL FROM THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

---

**NOTICE OF MOTION TO EXTEND TIME TO FILE NOTICE OF APPEAL**

PLEASE TAKE NOTICE that upon the annexed **MOTION TO EXTEND TIME TO FILE NOTICE OF APPEAL** dated March 28, 2016 of an **ORDER DENYING DENYING APPEALS** entered February 22, 2016 and **PROOF OF SERVICE** filed herewith, the undersigned ERIC H. RICHMOND moves via these papers to **EXTEND TIME TO FILE NOTICE OF APPEAL** of the **ORDER DENYING DENYING APPEALS** entered February 22, 2016 (DOCKET NUMBER 18 15-cv-4980).

Dated: Brooklyn, New York - March 28, 2016

A handwritten signature in black ink, appearing to read "Eric Richmond", written over a horizontal line.

ERIC RICHMOND  
APPELLANT/DEBTOR, PRO SE  
2107 Regent Place  
Brooklyn, NY 11226  
(646) 256-9613 /  
gowanusx@gmail.com

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X	
ERIC RICHMOND,	:
	:
Appellant,	:
	: 15 Civ. 4980 (AMD)
-against-	: 15 Civ. 5201 (AMD)
P.B. #7, LLC,	:
Appellee.	:
----- X	

**MOTION TO EXTEND TIME TO FILE NOTICE OF APPEAL OF  
ORDER DENYING MOTION TO RECONSIDER**

Federal Rules of Bankruptcy Procedure > **PART XII - PART VIII—APPEALS TO DISTRICT COURT OR BANKRUPTCY APPELLATE PANEL Rule 8002.** Time for Filing Notice of Appeal

(c) (2) A request to extend the time for filing a notice of appeal must be made by written motion filed before the time for filing a notice of appeal has expired, except that such a motion filed not later than 21 days after the expiration of the time for filing a notice of appeal may be granted upon a showing of excusable neglect. An extension of time for filing a notice of appeal may not exceed 21 days from the expiration of the time for filing a notice of appeal otherwise prescribed by this rule or 14 days from the date of entry of the order granting the motion, whichever is later.

**TIMELY MOTION**

1. As per Rule 8002 (c ) (2), this motion is timely as it is made on March 28, 2016 which is within 14+21=35 days from the entry of the **ORDER DENYING APPEALS** entered February 22, 2016 (DOCKET NUMBER 18 15-cv-4980).

**EXCUSABLE NEGLECT**

2. As Judge Brian Cogan, the original judge in this case, has never held pro se litigant Eric Richmond to any 14 day bankruptcy imposed deadline to file motions to reconsider in District Court and this court has an as yet unresolved letter motion on the applicability of the 14 day Bankruptcy time limit on motions for reconsideration, it is obvious that this is far from an unsettled issue unless Judge Brian Cogan is clearly wrong.

3. Having relied on Judge Cogan's prior rulings, appellant is left in uncharted waters and presents that as excusable neglect for having not filed the pending motion to reconsider or a notice of appeal within 14 days of the entry of the order.

#### **TIME REQUESTED**

4. Debtor requests an extension of 14 days from the decision on the instant motion.
5. No prior request for extension has been requested in this matter.

#### **WHEREFORE:**

As the APPELLANT/DEBTOR has made a timely motion for an extension of time to file a notice of appeal and there exists excusable neglect traceable to prior decisions by Judge Brian Cogan, APPELLANT/DEBTOR requests that this court grant APPELLANT/DEBTOR's motion for an extension of time to file a notice of appeal.

Sworn to this date: March 28, 2016

By:

A handwritten signature in black ink, appearing to read 'ERICH', is written over a horizontal line.

ERIC RICHMOND  
APPELLANT/DEBTOR, PRO SE  
2107 Regent Place  
Brooklyn, NY 11226  
(646) 256-9613 / gowanusx@gmail.com

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X	
ERIC RICHMOND,	:
	:
Appellant,	:
	: 15 Civ. 4980 (AMD)
-against-	: 15 Civ. 5201 (AMD)
P.B. #7, LLC,	:
Appellee.	:
----- X	

**AFFIRMATION IN SUPPORT OF  
MOTION FOR EXTENSION OF TIME TO FILE A NOTICE OF APPEAL**

APPELLANT/DEBTOR believes that it has complied with Rule 8002 (c) (2) and APPELLANT/DEBTOR has shown excusable neglect and that APPELLANT/DEBTOR should be granted an extension of time to file a notice of appeal of the Decision entered February 22, 2016 as outlined in the motion for extension of time to file a notice of appeal.

As such we request that the court grant the motion to for an extension of time to file a notice of appeal.

DATE: March 28, 2016

Sincerely,



ERIC RICHMOND  
APPELLANT/DEBTOR, PRO SE  
2107 Regent Place  
Brooklyn, NY 11226  
(646) 256-9613 / gowanusx@gmail.com

United States Bankruptcy Court  
Eastern District Of New York  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X	
ERIC RICHMOND,	:
	:
Appellant,	:
	:
-against-	: 15 Civ. 4980 (AMD)
	: 15 Civ. 5201 (AMD)
P.B. #7, LLC,	:
Appellee.	:
----- X	

I, ERIC RICHMOND, declare under penalty of perjury that on March 28, 2016 I served a copy of the attached :

**NOTICE OF MOTION TO EXTEND TIME TO FILE NOTICE OF APPEAL**

**MOTION TO EXTEND TIME TO FILE NOTICE OF APPEAL**

**AFFIRMATION IN SUPPORT OF MOTION TO EXTEND TIME TO FILE NOTICE OF APPEAL**

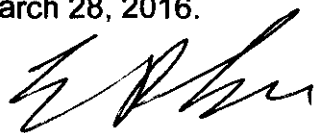
upon the following parties via FIRST CLASS MAIL to the following persons:

To:

Glenn P. Warmuth, Esq.   Michael Macco - Trustee  
Stim & Warmuth, P.C.   2950 Expy Dr S #109  
2 Eighth Street   Islandia, NY 11749  
Farmingdale, NY 11738

United States Trustee  
201 Varick Street, # 1006  
New York, NY 10014  
Attn: William Curtin

March 28, 2016.



ERIC RICHMOND  
APPELLANT/DEBTOR, PRO SE  
2107 Regent Place  
Brooklyn, NY 11226  
(646) 256-9613 / gowanusx@gmail.com

15- 4980  
5701

Richmond

United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

FILED  
2016 MAR 28 PM 8:31  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
ASTORIA, OR 97103